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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/419,749	10/16/1999	TAD A. DEFFLER	22074661-255	1735

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NEW YORK, NY 10022

EXAMINER

COLBERT, ELLA

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 08/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/419,749

Applicant(s)

DEFFLER ET AL

Examiner

Ella Colbert

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 May 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Claims 1-9 are pending. Claims 1, 3, and 5 have been amended in this communication filed 05/23/03 entered as Amendment E, paper no. 28 and Extension of Time, paper no. 29.

Claim Objections

2. Claim 9 is objected to because of the following informalities: Claim 9, lines 1 and 2 of the preamble recites "a program storage device readable by machine, tangibly embodying a program of instructions executable...". These lines would be better recited "a program storage device readable by a machine, tangibly embodying a program of instructions executable...". " Appropriate correction is required.

Specification

3. The abstract of the disclosure is objected to because it is replete with numerous grammatical and typographical errors. For example: Page 2, line 29, recites "users to create a macro by recording series of keystrokes". This line would be better recited "users to create a macro by recording a series of keystrokes". On page 3, lines 14 and 15 are confusing. These lines recite "available method currently available to include additional macros into the application is to hard to code the new macros". These lines would be better recited "available method currently is to include additional macros in the application which makes it to hard to code the new macros". On page 3, line 28 recites "and extend the language to include their preferences when". This line would better recited "and to extend the language to include their preferences when". These are a

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few of the errors in the Specification. Applicants' are requested to check the Specification for any other grammatical and typographical errors. Correction is required. See MPEP § 608.01(b).

A substitute specification in proper idiomatic English and in compliance with 37 CFR 1.52(a) and (b) is required. The substitute specification filed must be accompanied by a statement that it contains no new matter.

Drawings

4. New corrected drawings are required in this application because the labeling in places on the drawings is illegible. For example: Fig. 1, element 112 (the second "property ?" (can't read what is written after "property") and fig. 2, element 112 has a similar problem. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claims 1, 3, and 5 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to

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one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The Examiner does not find the limitation "the keyword repository being built dynamically to include the extended command ..." in Applicants' Specification. The only mention of the term "dynamically" in Applicants' Specification is on page 6, lines 21-24 ("The present invention is directed to an extensible macro language which may be extended dynamically in the ...").

Claim Rejections - 35 USC § 112

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claim 1, 5, and 5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Applicants' are respectfully requested to point out to the Examiner in the Specification where the claim limitation "the keyword repository being built dynamically to include the extended command ..." can be found.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aho, Alfred; Sethi, Ravi; and Ullman, Jeffery D., hereafter Aho.

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With respect to claim 1, Aho teaches, analyzing a macro language expression (page 6, sec. 1.2 , lines 1-6), determining based on predetermined syntax of a macro language, one or more keywords in the analyzed macro language expression (page 6, sec. 1.2, lines 7-25, page 7, lines 1-21, page 12, sec. 1.3, lines 1-25, and page 13), the keyword representing an extended macro command initially unknown to the macro language (page 183, Sec. 4.4, paragraph 1), and executing the code (page 16, Sec. 1.4, lines 1-39, page 17, Sec. 1.4, lines 1-20). Aho did not teach, wherein the extended macro command is executed without recompiling the macro language. However, this step is well known in the art and performed at runtime and it is not a recompilation but it is a copy as many times as it (the macro) is called. There are three different types of macros, such as preprocessor, compiler, and runtime. A preprocessor macro is defined as for example, the C preprocessor is a macro processor that is used automatically by the C compiler to transform the program before actual compilation; compiler macros are defined as controlling the state of the macro with compiler command options; and a runtime macro is defined as tells the runtime intercept how to identify the construct to converted differently and how to render or convert it to the alternative result which usually results in runtime macros that are executed by conversion code at runtime. Aho did not teach, retrieving an executable code associated with the keyword from a registry of keywords, the registry of keywords being built dynamically to include the extended macro command, but it would have been obvious at the time the invention was made to one having ordinary skill in the art of keywords to retrieve an executable code associated with the keyword from a registry of keywords, the registry of keywords being built dynamically to include the extended macro command and in view of Aho's teaching of keywords in the macro language on page 183, Sec. 4.4, lines 7-14 to incorporate in Aho a registry of keywords because it is well known in the art that the C language itself

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has a registry of 33 keywords with the keywords being used in the source code and compiling of the macro language.

With respect to claim 2, Aho teaches, extending the registry of keywords by inserting a new keyword representing a new macro command and a code associated with the new keyword (page 212, Sec. 4.6, paragraphs 1 and 2). A registry of keywords because it is well known in the art that the C language itself has a registry of 33 keywords with the keywords being used in the source code and compiling of the macro language, *supra*.

With respect to claims 3, Aho teaches, a parser having a predefined syntax determining one or more extended keywords embedded within a macro language expression, the extended keyword representing a newly extended command initially unknown to a macro language (page 7, Sec. 1.2, lines 22-31, pages 40-47, page 48, Sec. 2.4, paragraphs 1 and 2, and page 283, paragraphs 3 and 4). It is well known in the art of programming that by definition a macro expands or is extended and is compiled initially at runtime.

Aho did not teach, a keyword repository having one or more keywords and one or more associated codes and a macro handler coupled to the parser for receiving an extended keyword from the parser, the macro handler in response to the received extended keyword, retrieving a code of instructions associated with the received extended keyword from the keyword repository, the keyword repository being built dynamically to include the extended command and executing the code of instructions to run the extended command represented by the extended keyword, but it would have been obvious at the time the invention was made to a person having ordinary skill in the

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art of extended keywords to have a parser and code associated with the extended keywords and to incorporate in Aho because such a modification is well known in the art and would enhance Aho's extended keywords with the parser receiving the keyword first, then parsing the expression and the macro handler in response saving the previous contents of the processor registers (keywords) during execution of the main program with the user selecting the functions and submitting the macro command to run the code associated with the keywords with a prefix symbol.

With respect to claim 4, Aho teaches, a keyword repository augmented to include one or more new keywords and one or more associated codes (page 193, Sec. 4.4, paragraph 3.

With respect to independent claim 5, this claim is rejected on grounds corresponding to the reason given above for rejected independent claim 1. Applicant's claim 5 has a method for parsing a macro language expression with steps corresponding to the method in rejected claim 1.

With respect to claim 6, Aho teaches, wherein the code includes machine operable instructions (page 128, Sec. 3.7, paragraph 3.8 and page 129 –page 130, paragraph 1).

With respect to claim 7, this independent claim is rejected on grounds corresponding to the reason given above for rejected independent claim 1. Applicant's claim 7 has a method for providing extensible macro language with steps corresponding to the method in rejected claim 1.

With respect to claim 8, this independent claim is rejected on grounds corresponding to the reason given above for rejected independent claim 3. Applicant's claim 8 has a system for providing an extensible macro language with steps corresponding to the system in rejected claim 3.

With respect to claim 9, this independent claim is rejected on grounds corresponding to the reason given for rejected independent claims 1 and 7. Applicant's claim 9 has a program storage device readable by a machine ... to perform method steps of extending a macro language with steps corresponding to the method of claims 1 and 7.

Response to Arguments

11. Applicants' arguments with respect to claims 1-9 have been considered but are moot in view of the new ground(s) of rejection.

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Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The Applicants' are requested to review the references prior to responding to the Office Action.

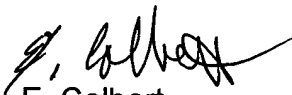
De Maine et al (US 3,656,178) disclosed the macro-instruction statements can be changed without recompiling the individual input/output components (see col. 33, lines 14-21).

Inquiries

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ella Colbert whose telephone number is 703-308-7064. The examiner can normally be reached on Monday-Thursday from 6:30 am -5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on 703-308-1038. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for Official communications and 703-746-5622 for Unofficial communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.



E. Colbert
July 31, 2003